

CHAPTER 140. INTRODUCTION TO FEDERAL AVIATION REGULATIONS (FAR) PART 141 RELATED TASKS

SECTION 1. GENERAL

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A. Authority. FAR Part 141 prescribes rules governing the operation of pilot schools. In the related chapters “pilot schools” means either a provisional pilot school or a pilot school. Where a requirement applies only to a provisional pilot school, the term “provisional pilot school” is used. The differences between provisional pilot schools and pilot schools are discussed briefly in the following paragraphs.

B. Definitions.

(1) *Certification Course.* A certification course in a FAR Part 141 school is a training course for a certificate or rating normally accomplished by a student from “zero time” to completion.

(2) *Certificated Pilot School.* A certificated pilot school is a school that meets the pertinent requirements of FAR Part 141, subparts A through C.

(3) *Curriculum.* A curriculum is a set of courses in an area of specialization offered by an educational institution. A curriculum for a pilot school might include courses for private pilot airplane and instrument ratings.

(4) *Special Curriculum.* A special curriculum (course) of pilot training not listed in FAR Part 141. Under FAR 141.57, a pilot school may apply for approval to use a special curriculum provided that it contains features that can be expected to achieve a level of pilot competency equivalent to the level achieved by the curriculum prescribed in the appendices of FAR Part 141 or the requirements of FAR Part 61.

(5) *Syllabus (Training).* A step-by-step, building block progression of learning with provisions for regular review and evaluations at prescribed stages of learning. The syllabus defines the unit of training, states by objective what the student is expected to accomplish during the unit of training, shows an organized plan for instruction, and dictates the evaluation process for either the unit or stages of learning.

(6) *Test Course.* A course of training for students who have accomplished a significant portion of training requirements outside of an air agency course.

(7) *Training Course Outline (TCO).* Within a curriculum, a TCO describes the content of a particular course by statement of objectives, descriptions of teaching aids, definition of evaluating criteria, and indication of desired outcome.

(8) *Examining Authority.* The authority granted a holder of a pilot school certificate to conduct written and/or practical tests of their own graduates for the issuance of pilot certificates and ratings without further testing by the Federal Aviation Administration (FAA).

(9) *Provisional Pilot School.* A school that does not meet the recent training experience requirements of FAR 141.5(b) but does meet all other requirements.

(10) *Satellite Base.* A location other than the main operations base where approved ground or flight training courses are conducted.

3. PILOT SCHOOL CONCEPT. In 1974, FAR Part 61 introduced a total operational training concept: the acquisition of equivalent levels of aeronautical experience in less time (as required by FAR Part 61) under the auspices of a certificated pilot school. This concept was reflected in FAR Part 141, where full recognition is given to the ability of a certificated school to develop its own course of training. The privileges of schools to recommend graduates of its own course of training for appropriate airman certificates, without being tested by FAA inspectors or designated pilot examiners (DPE) (examining authority), was also broadened. This concept was implemented by making prescribed curricula for training more flexible and by adopting procedures to assure that a training course used by a school is adequate, appropriate, and administered by qualified persons.

5. REGULATORY REQUIREMENTS. FAR Part 141 permits trainees to meet the flight experience requirements of FAR Part 61 with less flight time. However, the students must meet all other certification

requirements of FAR Part 61, including obtaining an instructor's recommendation and successfully completing written and flight tests. The reduced time, without a reduction in flight experience, is allowed under FAR Part 141 because the training is more controlled through supervision and is conducted by experienced instructors.

7. PROVISIONAL PILOT SCHOOLS. Initially, pilot schools are certificated under FAR Part 141 as provisional pilot schools for a period of 24 months. They may be recertificated as pilot schools when they meet the recent training activity requirements of FAR 141.5(b).

9. QUALITY OF INSTRUCTION. *A. Without Examining Authority.* Under the provisions of FAR 141.83, a pilot school must maintain a standard of training so that at least eight out of the 10 students or graduates of that school, most recently tested by an FAA inspector or a DPE, must pass their practical tests on the first attempt.

B. With Examining Authority.

(1) A pilot school with examining authority must have at least 10 students pass their practical tests for the particular course with examining authority.

(2) At least nine of the 10 most recent graduates must have passed an interim or final test conducted by an FAA inspector or a DPE on his or her first attempt. However, students passing an interim or final test conducted under the school's examining authority enable the school to meet the requirements of FAR 141.63(b)(2).

C. Content of Tests to Meet Quality of Training Requirements. The tests may consist of any test for a pilot certificate or rating, or for an operating privilege appropriate to the course from which the student graduates, or a test to determine competence and knowledge of a completed stage of training.

D. Failure to Meet Quality of Training Requirements.

(1) When a school fails to maintain quality of instruction as required by the FAR, it is considered to be the basis for suspension or revocation of the certificate held by that school.

(2) If a school fails to maintain quality of training, an inspector should conduct an investigation of the school's training activities in question to determine the probable cause of the deficiency and take corrective action, including enforcement action.

SECTION 2. PILOT SCHOOL INSPECTION RESULTS

1. GENERAL. This section is a summary of a report issued as a result of a special, national inspection. The information serves only to highlight what were determined to be prevalent areas of discrepancies with FAR Part 141 approved schools. The inspector shall refer to chapters 141 through 147 of this Handbook for guidance on how to conduct certification and inspection tasks and should consider the information in this chapter as supplementary.

3. BACKGROUND. During fiscal year (FY) 87 through FY90, under the National Aviation Safety Inspection Program (NASIP), the FAA conducted several inspections of pilot schools certificated under FAR Part 141. Candidate schools and inspection teams were selected under established guidelines for planning and conducting NASIP inspections. Interim guidance for conducting in-depth inspections of FAR Part 141 pilot schools had been developed by the headquarters evaluation staff (AFS-4) with AFS-840, the headquarters Certification Branch. This guidance was used by teams to conduct inspections.

A. Pilot Schools Inspected. The pilot schools inspected varied considerably in size and scope of operations. Some of the schools were associated with university curricula, others were medium to large in size with specialized curricula catering to a national or international clientele. The remaining schools were small to medium in size, and their students were mostly from their local areas. The complexity of the schools inspected varied: Many of them held examining authority for written and/or flight tests. In addition, several schools held FAR exemptions.

B. Inspection Findings. The inspections resulted in numerous findings with respect to training conducted under FAR Part 141. Three classes of findings included noncompliance with the FAR as well as nonregulatory guidance, such as advisory circulars, FAA Orders, and other guidance material. There were also cases of noncompliance with the schools' own policies.

5. INSPECTION PROCEDURES AND GUIDANCE. The inspections conducted under NASIP may be characterized as in-depth reviews of a school's total operations to determine compliance with the FAR and

other FAA guidance. As a result, the inspection procedures and guidance are an expansion of existing requirements appropriate to the type of school being inspected. The inspection guidance and the final report format encompass 14 areas of review for operations and 10 areas for airworthiness. These areas reflect specific regulatory requirements of FAR Part 141 as well as other parts of the FAR. The operations areas reflect FAR Part 141 certification requirements in addition to those of FAR Part 61. Since there are no airworthiness requirements contained in FAR Part 141, per se, the airworthiness inspection procedures reflect requirements contained in FAR Parts 39, 43, 91, and other areas. Detailed descriptions of the following methods and procedures, which were used in the inspections, are from the FAA National Aviation Safety Inspection Program Annual Report FY90. NASIP inspection teams determined compliance within the following areas:

A. Operations.

(1) Management. The inspection team members interviewed management personnel and flight instructors and compared the information obtained with that in the FSDO files.

(2) Ratings and authorizations. The inspection teams compared the schools' air agency certificates, lists of approved courses, and TCO's with the FSDO copies to verify that the schools did not offer any other courses under the authority of FAR Part 141.

(3) Examining authority and airman certification representatives (ACR). The inspection teams reviewed FSDO files on the pilot schools to determine if the schools were complying with FAR Part 141.67. The teams also reviewed student records, observed written testing procedures, and interviewed ACR's.

(4) TCO's. The inspection teams reviewed the TCO's by auditing the curricula. TCO contents were compared with the requirements of FAR Part 141; Order 8710.5 Certification: Pilot Schools; and AC 141-1 Pilot School Certification. The inspection teams also observed ground school training and flight training. More findings have occurred in the area of TCO's than any other area of operations.

(5) *Staff qualifications.* The inspection teams reviewed the records of, and conducted interviews with, all flight and ground instructors.

(6) *Records.* The inspection teams examined student records to determine compliance with FAR 141.77, 141.93, 141.95 and 141.101.

(7) *Exemptions.* The FAA National Aviation Safety Inspection Program Annual Report FY90 did not include a description of how exemptions were evaluated.

(8) *Facilities.* The inspection teams visually checked the facilities of each school to determine compliance with FAR Part 141.

(9) *Airports.* The inspection teams conducted visual inspections of all airports used in training to determine if these airports met the requirements of FAR 141.37.

(10) *Training aids, simulators, training devices.* The inspection team members inspected all training aids and training devices.

(11) *Quality of instruction.* During the course of these inspections, the inspection teams closely monitored all aspects of the FAR Part 141 training operations to ascertain the quality of instruction.

(12) *Advertising.* The inspection teams reviewed each school's use of advertising in brochures, catalogs, aviation publications and telephone directories to determine compliance with FAR 141.23.

(13) *FAR Part 61 activity.* The inspection teams observed FAR Part 61 training, reviewed student records and discussed training activity with school officials to determine compliance with FAR Part 61.

(14) *Minimum Equipment List (MEL) procedures.* The FAA National Aviation Safety Inspection Program Annual Report FY90 did not include a description of how MEL's were evaluated.

B. Airworthiness.

(1) *Management.* In addition to determining the training and experience levels of maintenance personnel, the inspection teams reviewed each school's aircraft status boards for accuracy.

(2) *Ratings and authorizations.* The inspection teams reviewed maintenance personnel records for proper certification and interviewed maintenance personnel to evaluate their knowledge of the aircraft used by each school.

(3) *Personnel qualifications and supervision.* The inspection teams interviewed maintenance personnel

to determine their certification, experience, and knowledge of the aircraft used by the pilot schools.

(4) *Maintenance programs and inspection times.* The inspection teams reviewed aircraft records to determine if the 100-hour and annual inspections required by FAR 91.169 had been performed on time.

(5) *Facilities.* The inspection teams inspected the school facilities for cleanliness and equipment adequacy. The teams also inspected the technical libraries for complete current maintenance manuals and technical data.

(6) *Records.* The inspection teams reviewed the maintenance records of each school's aircraft for compliance with FAR 91.173.

(7) *Airworthiness Directives.* The inspection teams reviewed each school's airworthiness directive (AD) files for currency.

(8) *Fueling and servicing.* The inspection teams checked the condition of the fire extinguishers and the markings on the fuel tanks and trucks. The teams also interviewed fuel servicing personnel to ascertain their knowledge of refueling and safety procedures.

(9) *Aircraft manuals and pilot operating handbooks.* Inspection teams inspected each school's aircraft for the presence of checklists, manuals, and pilot operating handbooks.

(10) *Inoperative equipment and deferred maintenance.* The inspection teams reviewed each school's aircraft discrepancy sheets for any corrective action taken and any approval to return equipment to service.

7. PILOT SCHOOLS INSPECTED. The pilot schools inspected under NASIP were chosen based on input from AFS-4, the General Aviation and Commercial Division (AFS-800), and the Regional Flight Standards Divisions. The schools selected represented a cross-section of types of FAR Part 141 pilot schools with operations varying in size and scope.

9. DETAILS OF INSPECTION RESULTS. During the fiscal years 1987 through 1990 there were 29 in-depth pilot school inspections resulting in 851 findings. Although the extent of inspection discrepancies varied among the schools inspected, common areas surfaced among many schools, especially with respect to TCO's and recordkeeping. The operations section that had the most findings over the 4-year period was TCO's with 45.2 percent of the findings. Records accounted for 19.8 percent of the findings. The other 35 percent was distributed over 12 different operations sections. The distribution of findings in Airworthiness varied greatly over the 4 year period. The sections with the most findings were Records and Aircraft/

Manuals/Pilot Operating Handbook. These two sections accounted for 66.4 percent of the findings. The remaining 33.6 percent was distributed over the other

eight sections. Comparison charts and a more detailed discussion can be found in FAA National Aviation Safety Inspection Program Annual Report FY90.

